

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CM2175/JB	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/18561	International filing date (day/month/year) 06/07/2000	Priority date (day/month/year) 08/07/1999
International Patent Classification (IPC) or national classification and IPC C11D3/00		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☒ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 30/10/2000	Date of completion of this report 11.04.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Irwin, L Telephone No. +49 89 2399 2527



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/18561

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-81 as originally filed

Claims, No.:

1-24 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

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(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1 - 24
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1 - 24
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1 - 24
	No:	Claims	

2. Citations and explanations
see separate sheet

VI. Certain documents cited

1. Certain published documents (Rule 70.10)

and / or

2. Non-written disclosures (Rule 70.9)

see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

R Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The following documents cited in this communication are:

D1: US 4 775 720 A (MOOKHERJEE BRAJA D ET AL) 4 October 1988 (1988-10-04)

D2: FR 2 774 389 A (RHONE POULENC CHIMIE) 6 August 1999 (1999-08-06)

D3: US 3 681 248 A (SHEPHERD THOMAS H ET AL) 1 August 1972 (1972-08-01)

Novelty and Inventive Step (*Articles 33(2) and (3) PCT*):

1. The subject matter of the present claims 1 - 24 is considered to be novel and to also comprise an inventive step since these features have not been disclosed in combination in the above cited prior art.

Re Item VI

Certain documents cited

1. Certain published documents: (*Rule 70.10 PCT*)
FR 2 774 389 A (D2); Publication date: 06.08.99 Filing date: 02.02.98.

Assuming the priority of the present application to be valid, document FR2774389A (D2) which was filed on the 2.2.98 (i.e. before the priority of the present application) and published on the 6.8.99 (after the priority of the present application) is not considered to be prior art. The contents of said document may however be relevant for the assessment of novelty in the European regional phase.

Re Item VII

Certain defects in the international application

1. The independent claim 1 is not in the two-part form in accordance with *Rule 6.3(b) PCT*, which in the present case would be appropriate, with those features known in

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combination with the prior art document D1 being placed in the preamble (*Rule 6.3(b)(i) PCT*) and with the remaining features being included in the characterising part (*Rule 6.3(b)(ii) PCT*).

2. The phrase "...incorporated herein by reference" as used for example in the description on page 1 (line 36) and thereafter throughout the description, is an expression not to be used since it renders the extent of the protection unclear. (*Guidelines, PCT/GL/3 III, 4.3a*).

Re Item VIII

Certain observations on the international application

1. For the sake of clarity, claims that relate to the same features i.e. process, method and use, and composition should be grouped together and not separated as is the case from claim 14 onwards where claims for processes, products, methods, compositions, and finished products are mixed in a seemingly random order.

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference CM2175/JB	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/18561	International filing date (day/month/year) 06/07/2000	(Earliest) Priority Date (day/month/year) 08/07/1999
Applicant THE PROCTER & GAMBLE COMPANY et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of Invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

P S 00/18561

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C11D3/00 C11D3/30 C11D3/37 C11D3/33 C11D3/50
 C11D17/06 C11D3/02 C11D17/00 C11D7/08 C11D7/32

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4 775 720 A (MOOKHERJEE BRAJA D ET AL) 4 October 1988 (1988-10-04) column 86, line 8 - line 12; claims; example XVIII ---	1-23
E	FR 2 774 389 A (RHONE POULENC CHIMIE) 6 August 1999 (1999-08-06) claims 1-4,6,20; example 2 ---	1-22
A	US 3 681 248 A (SHEPHERD THOMAS H ET AL) 1 August 1972 (1972-08-01) example 8 -----	1,15,17, 18,22

☐ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
 "E" earlier document but published on or after the international filing date
 "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
 "O" document referring to an oral disclosure, use, exhibition or other means
 "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
 "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
 "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
 "&" document member of the same patent family

Date of the actual completion of the international search

20 September 2000

Date of mailing of the international search report

27/09/2000

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Authorized officer

Loiselet-Taisne, S

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

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Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 4775720 A	04-10-1988	US 4839083 A	13-06-1989
		US 4840801 A	20-06-1989
		US 4824828 A	25-04-1989
		US 4915866 A	10-04-1990
		US 4865853 A	12-09-1989
FR 2774389 A	06-08-1999	AU 2062199 A	16-08-1999
		WO 9938945 A	05-08-1999
US 3681248 A	01-08-1972	US 3772215 A	13-11-1973
		JP 51006726 B	02-03-1976
		JP 53039275 B	20-10-1978
		US 3576760 A	27-04-1971
		US 3660071 A	02-05-1972